

Message Text

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PAGE 01 PARIS 31389 071822Z

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ACTION ARA-20

INFO OCT-01 EUR-25 ISO-00 PM-07 NSC-10 SPC-03 SS-20 RSC-01

L-03 COME-00 EB-11 SSO-00 NSCE-00 INRE-00 CIAE-00

DODE-00 INR-10 NSAE-00 PA-04 PRS-01 SCSE-00 SCA-01

CG-00 COA-02 DLOS-06 IO-14 JUSE-00 FMC-04 USIE-00

DRC-01 /144 W

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O R 071753Z DEC 73

FM AMEMBASSY PARIS

TO SECSTATE WASHDC IMMEDIATE 5311

INFO AMCONSUL MARTINIQUE

AMCONSUL PARAMARIBO

AMCONSUL KINGSTON

UNCLAS PARIS 31389

E.O. 11652:N/A

TAGS: FR, BDIS

SUBJECT: SEIZURE OF TUG AND BARGES AT CAYENNE

REF: STATE 239360

1. JEANNOT OF QUAI'S BUREAU OF CONSULAR AFFAIRS INFORMED EMBASSY TODAY THAT HE HAS FINALLY RECEIVED REPORT FROM MINISTRY OF OVERSEAS DEPARTMENTS AND TERRITORIES CONFIRMING THAT TUG AND BARGES WERE ESCORTED TO CAYENNE BY FRENCH NAVAL VESSEL. THIS ACTION, WHICH REPORT MAINTAINS TOOK PLACE WITHIN FRENCH TERRITORIAL WATERS, WAS TAKEN AFTER COMPAGNIE FORESTIERE L'APPROUAGE HAD OBTAINED ORDER OF SEIZURE AND SEQUESTRATION(ORDONNANCE DE SAISIE CONSERVATOIRE) AND AUTHORIZATION FROM ATTORNEY GENERAL (PROCUREUR GENERAL DE LA REPUBLIQUE) TO EMPLOY POLICE MEASURES (FORCES DE L'ORDRE) TO BRING VESSEL TO CAYENNE.

2. SEIZURE ORDER RESULTED FROM LITIGATION INVOLVING DISPUTE OVER PAYMENT OF CARGO CHARGES. FOLLOWING SEIZURE ORDER
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PAGE 02 PARIS 31389 071822Z

AND AUTHORIZA-

TION TO USE POLICE POWERS, BAILIFF (HUISSIER) WAS DISPATCHED WITH CONTINGENT OF GENDARMES ABOARD FRENCH GUN BOAT TO PLACE, ALLEGEDLY INSIDE TERRITORIAL LIMITS, WHERE TUG AND BARGES WERE LOCATED. BAILIFF NOTIFIED CAPTAIN OF SEIZURE ORDER, PUT SOME GENDARMES ABOARD AND ESCORTED SHIP TO PORT. NO MENTION WAS MADE IN REPORT OF ANY SHOTS HAVING BEEN FIRED ACROSS BOW OF TUG. REPORT DID SAY, HOWEVER, THAT SEIZURE AND ESCORT OPERATION TOOK PLACE WITHOUT INCIDENT.

3. JEANNOT STATED THAT HE HAD LEARNED UNOFFICIALLY FROM ANOTHER SOURCE THAT BARGES HAD BEEN UNLOADED. HE HAD NO INFORMATION REGARDING INDIAN TOWING COMPANY'S ALLEGATIONS THAT COMPAGNIE FORESTIERE WAS SEEKING TOW ONE OR BOTH BARGES UP APPROUAGE RIVER.

4. JEANNOT INFORMED US THAT FOLLOW-UP TELEGRAM HAD BEEN SENT TO CAYENNE SEEKING CLARIFICATION OF ALLEGATION MENTIONED PRECEDING PARA AND CONVEYING CONCERN OF INDIAN TOWING COMPANY THAT BARGES WOULD BE ENDANGERED IF TOWED UP APPROUAGE RIVER. TELEGRAM ALSO ASKED FOR CLARIFICATION OF CONFLICTING STATEMENTS BY ITC AND FRENCH AUTHORITIES AS TO WHETHER VESSELS WERE INSIDE OR OUTSIDE TERRITORIAL WATERS AT TIME OF SEIZURE.

5. WHEN ASKED (STATE 239260) WHAT FURTHER LEGAL RECOURSE WOULD BE AVAILABLE TO ITC TO PROTECT ITS BARGES, JEANNOT EXPRESSED OPINION THAT THIS WAS MATTER WHICH COMPANY'S LOCAL LAWYER WOULD BE IN BEST POSITION TO DETERMINE. HE DECLINED TO MAKE ANY SPECIFIC SUGGESTIONS OTHER THAN TO SAY THAT APPEALS PROCEDURES WOULD PRESUMABLY BE AVAILABLE UNDER FRENCH LAW. IRWIN

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